

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 CHERRI LANE,

4 Plaintiff,

5 vs.

6 MGM RESORTS INTERNATIONAL
7 OPERATIONS, INC, A NEVADA
8 CORPORATION,

9 Defendant.

Case No.: 2:24-cv-02344-GMN-NJK

ORDER GRANTING MOTION TO
DISMISS

10 Defendant MGM Resorts International Operations, Inc. filed a Motion to Dismiss, (ECF
11 No. 10), to which Plaintiff Cherri Lane did not respond by the February 3, 2025, deadline.

12 In the Court's previous Order Extending Plaintiff's Response Deadline, it noted that the
13 Motion to Dismiss was filed on December 23, 2024. (Order Extending Deadline, ECF No. 15).
14 It was Defendant's belief that Plaintiff's counsel was registered for electronic service and
15 therefore attached to the motion a Certificate of Service incorrectly stating that Plaintiff had
16 been served with the motion through the CM/ECF system. (*Id.*). Defendant later learned that
17 Plaintiff's counsel was not registered for electronic service and had not been served with the
18 Motion to Dismiss. (*Id.*). Defendant then served Plaintiff with the Motion to Dismiss on
19 January 15, 2025. (*Id.*). The Parties stipulated to a new Response deadline of February 3, 2025.
20 The Order Extending Plaintiff's Response Deadline was emailed to Defendant's counsel and
21 mailed to Plaintiff's counsel. Accordingly, both Parties were on notice of the deadline.

22 As of the date of this Order, Plaintiff has failed to respond to the Motion to Dismiss or
23 otherwise inform the Court of her intent to oppose. Pursuant to LR 7.2(d), "[t]he failure of an
24 opposing party to file points and authorities in response to any motion, except a motion under
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1 Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the
2 motion." Therefore, the Court GRANTS the Motion to Dismiss as unopposed.

3 Accordingly,

4 **IT IS HEREBY ORDERED** that the Motion to Dismiss, (ECF No. 10), is **GRANTED**.
5 The action is dismissed without prejudice.

6 The Clerk of Court is kindly requested to close this case.

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8 **DATED** this 11 day of March, 2025.

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12 Gloria M. Navarro, District Judge
13 UNITED STATES DISTRICT COURT
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